

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

EXPRESS, LLC

Plaintiff,

v.

WAL-MART STORES, INC.

Defendant.

Civil Action No. 08-4425 (PAC)

RULE 7.1 STATEMENT

Pursuant to Rule 7.1 of the Federal Rules of Civil Procedure, and to enable District Judges and Magistrate Judges of the Court to evaluate possible disqualification or recusal, Defendant Wal-Mart Stores, Inc. ("Wal-Mart"), by its undersigned counsel, respectfully submits the following disclosure statement:

Wal-Mart is a publicly held corporation. Wal-Mart does not have a parent corporation. There is no publicly held corporation that owns 10 percent or more of Wal-Mart's stock.

Respectfully submitted,

/s/ Nels T. Lippert

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* Not admitted to the Bar of this Court.